

REMARKS

Entry of the foregoing, reexamination and further and favorable reconsideration of the subject application in light of the following remarks, pursuant to and consistent with 37 C.F.R. § 1.116, are respectfully requested.

By the foregoing amendment, claim 21 has been amended to be drawn to a method for treating an inflammatory reaction, and claim 32 has been amended to be drawn to a method for reducing infiltration of neutrophils into an inflammatory site. Support for these amendments may be found throughout the originally filed application. Thus, no new matter has been added.

Turning now to the merits of the Office Action, the Examiner has rejected claims 21, 23-32 and 34-41 under 35 U.S.C. § 112, first paragraph, arguing that while the specification is enabling for the treatment of inflammation with the specified peptides, it purportedly does not reasonably provide enablement to prevent an inflammatory reaction or to prevent infiltration of neutrophils into an inflammatory site. This rejection is respectfully traversed.

The Examiner has noted on page 3 of the Office Action that the application would be in condition for allowance if the limitation "prevention" was deleted from the claims. Therefore, to expedite prosecution and not to acquiesce to the Examiner's rejection, claims 21 and 32 have been amended, without prejudice, to remove reference to "prevention". Applicants reserve the right to file one or more divisional applications directed to any of the canceled subject matter.

In light of the above, withdrawal of this enablement rejection is respectfully requested.

Applicants acknowledge the Examiner's statement that claims 42-50 are allowed. See OFFICE ACTION at 3.

In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited

In the event that there are any questions relating to this Amendment and Reply, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.


Respectfully submitted,

BUCHANAN INGERSOLL PC

Including attorneys from Burns, Doane, Swecker & Mathis

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By:


Susan M. Dadio
Registration No. 40,373

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620